

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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PBA LOCAL 183, DOLORES M.  
PALADINO and MARISOL PAGAN,

Plaintiffs,

v.

COUNTY OF ESSEX,

Defendant.

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PBA LOCAL 183, STEVEN  
SALVATORIELLO, CARMELO VINCI,  
MICHAEL TESEI and ROBERT  
SUTTON,

Plaintiffs,

v.

COUNTY OF ESSEX,

Defendant.

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**CONSOLIDATED ACTIONS**

**Civil Action No. 17-06962 (SRC)**

**Civil Action No. 19-13296 (SRC)**

**ORDER**

**CHESLER**, District Judge

This matter having come before the Court on the following: a motion for leave to amend the complaint filed by Plaintiffs PBA Local 183, Dolores Paladino and Marisol Pagan [ECF 36]; a cross-motion to dismiss the complaint and enforce settlement filed by Defendant County of Essex [ECF 46]; and a motion to dismiss the complaint filed by Defendant County of Essex [ECF 46]; and the Court having reviewed the papers submitted in connection with these motions; and the Court opting to rule on the motions without oral argument, pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith,

**IT IS** on this 15th day of October, 2019,

**ORDERED** that Plaintiff's motion for leave to amend the complaint [ECF 36] be and hereby is **DENIED**; and it is further

**ORDERED** that Defendant's motion to dismiss the complaint and enforce settlement [ECF 46] be and hereby is **DENIED**; and it is further

**ORDERED** that Defendant's motion to dismiss the complaint [ECF 46] be and hereby is **GRANTED IN PART AND DENIED IN PART**; and it is further

**ORDERED** that, pursuant to Federal Rule of Civil Procedure 12(b)(6), Counts Three and Four of the Complaint filed in Civil Action No. 19-13296 are **DISMISSED WITHOUT PREJUDICE**; and it is further

**ORDERED** that any claims brought under New Jersey's Conscientious Employee Protection Act that are predicated on the issuance of the 2016 General Order are **DISMISSED WITH PREJUDICE**; and it is further

**ORDERED** that any claims brought under the Fair Labor Standards Act's anti-retaliation provision, 29 U.S.C. § 215(a)(3), that are predicated on the issuance of the 2016 General Order are **DISMISSED WITH PREJUDICE**.

s/ Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge